

# California WIC Program Presents

## Equality for All Civil Rights Training



# Equality for All Civil Rights Facilitator's Guide

January 2016

# Equality for All

<b>Who:</b>	<b>Who is this training designed for?</b>  The United States Department of Agriculture (USDA) mandates that all programs receiving Food and Nutrition Services (FNS) funding to train their staff on civil rights. This training is designed for local agency and state WIC staff as a means to meet this requirement.
<b>What:</b>	<b>What is this training about?</b>  This training provides information on discrimination, federal and state civil rights requirements, and civil rights complaint procedures.  <b>USDA requires the Civil Rights training include:</b> <ul style="list-style-type: none"><li>• Collection and Use of Data</li><li>• Effective Public Notification System</li><li>• Complaint Process</li><li>• Monitoring Visits</li><li>• Noncompliance</li><li>• Reasonable Accommodations for Persons with Disabilities</li><li>• Language Assistance Requirements</li><li>• Customer Service/Conflict Resolution</li></ul> The Facilitator’s Guide provides directions, instructions and actual training content. The instructions are written to assist the trainer in facilitating specific segments. The directions give step-by-step procedures for conducting each training activity. Learner centered activities have been incorporated.
<b>Why:</b>	<b>Why is this training required?</b>  The United States Department of Agriculture (USDA), Food and Nutrition Services (FNS) establishes policies prohibiting discrimination in all FNS nutrition programs and activities, whether federally funded or not. In addition, California WIC aims to provide “platinum” level participant services, ensuring all participants are treated fairly.
<b>Duration:</b>	3 hours
<b>Materials:</b>	Trainee Workbook Computer and projector for PowerPoint slides Pens or Pencils
<b>Set-up:</b>	Tables of 4-6 trainees (for small groups, use pairs of trainees)

# Agenda

- |  |                   |
|--|-------------------|
| <b>1. Welcome, Introductions, Agenda and Objectives Review</b>                         | <b>10 minutes</b> |
| <b>2. Warm-Up Activity</b>   | <b>15 minutes</b> |
| <b>3. WIC Protected Categories</b>   | <b>15 minutes</b> |
| <b>4. Discrimination Concepts</b>  | <b>20 minutes</b> |
| <b>5. Accommodating Participants with Disabilities and Limited English Proficiency</b> | <b>20 minutes</b> |
| <b>BREAK</b>   | <b>15 minutes</b> |
| <b>6. Data Collection</b>  | <b>15 minutes</b> |
| <b>7. Customer Service and Conflict Resolution</b>                                     | <b>20 minutes</b> |
| <b>8. Complaint Procedures</b>   | <b>30 minutes</b> |
| <b>9. Public Notification, Monitoring Visits, and Resolution of Noncompliance</b>      | <b>5 minutes</b>  |
| <b>10. Closing Activity, Evaluation</b>  | <b>15 minutes</b> |

# Objectives

At the end of this training, trainees will be able to:

- Understand California WIC policies regarding civil rights and discrimination.
- Identify examples of the protected categories listed in the Rights & Responsibilities and Welcome to WIC pamphlets.
- Distinguish between stereotype, prejudice, and discrimination and explore their roles in protecting civil rights.
- Describe methods for making reasonable accommodations for participants with disabilities and limited English proficiency.
- Differentiate between ethnicity and race and review USDA's reporting requirements regarding these terms.
- Learn the steps WIC staff must take in the discrimination complaint process.
- Explore ways to prevent complaints using customer service and conflict resolution techniques.

<p>Slide 1</p>	<p>Equality for All Civil Rights Training</p> 	<p><b>Welcome</b> trainees to the “Equality for All” civil rights training. <b>Introduce</b> trainer. <b>Explain</b> the training purpose:</p> <ul style="list-style-type: none"> <li>• USDA requires all WIC staff attend civil rights training annually to prevent discrimination</li> <li>• This training plays a key role in providing platinum services</li> </ul> <p><b>Housekeeping:</b> duration of the training, breaks and cell phones <b>Instruct</b> trainees to turn to the Agenda and Objectives on <b>pages 1 and 2</b> in their workbooks and review.</p>
<p>Slide 2</p>		<p><b>Ask</b> trainees to call out:</p> <ul style="list-style-type: none"> <li>• What does the term “civil rights” mean?</li> <li>• What are some civil rights they have?</li> </ul> <p><b>Explain:</b> Our society was built on rights for the people and by the people. The Declaration of Independence mentions “inalienable rights.” We have constitutional, and we have civil rights. Civil rights are the rights of individuals to be treated equally. All civil rights categories must be honored and protected to ensure all people are treated fairly.</p>
<p>Slide 3</p>	 <p>Ethnicity &amp; Race</p>	<p><b>Ask</b> trainees to call out what comes to mind when they hear the terms ethnicity and race?</p>
<p>Slide 4</p>	<p>Ethnicity: Groups with Common Ancestry</p> 	<p><b>Explain:</b> Ethnicity is socially defined. Ethnic groups share a common genealogy or ancestry.</p> <p><b>They may share:</b></p>



## Race: Biological Origins



**Explain:** Race is based on someone's biological origins and refers to a person's physical appearance including skin color, eye color, hair color, bone structure, and facial type.

**Emphasize:**

- Hispanic or Latino is a culture, not a race.
- In prior years a significant number of participants were classified as Native American, many whom were actually Hispanic or Latino.
- Ethnicity was added to more accurately represent the Hispanic and Latino population.

**Activity 1: Ethnicity and Race**

**Instruct** trainees to turn to **Activity 1** on **page 3** in their workbooks.

Instruct them to read the instructions and share with their table group which ethnicity and race(s) they would choose for themselves and why.

**Debrief:** Invite trainee(s) to share what they chose with the larger group.

**Explain** that ethnicity and race questions:

- Are for data collection purposes only
- May not be the same descriptions participants would choose for themselves

# Activity 1

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## Ethnicity and Race

**Instructions:** Review the USDA ethnicity and race categories below. In your table groups, share which categories you would choose for yourself and why.

### Ethnic/Racial Categories as Identified in MIS

ETHNIC CATEGORY	DEFINITION
<b>Y</b> <b>Hispanic or Latino</b>	A person of Cuban, Mexican, Puerto Rican, South or Central America, or other Spanish culture or origin regardless of race. The term, "Spanish origin" can be used in addition to "Hispanic" or "Latino."
<b>N</b> <b>Not Hispanic or Latino</b>	A person not having Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
RACE CATEGORY	DEFINITION
<b>N</b> <b>American Indian or Alaska Native</b>	A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
<b>A</b> <b>Asian</b>	A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, or Vietnam.
<b>B</b> <b>Black or African American</b>	A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" can be used in addition to "Black or African American."
<b>P</b> <b>Native Hawaiian or Other Pacific Islander</b>	A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
<b>W</b> <b>White</b>	A person having origins in any of the original peoples of Europe, Middle East, or North Africa.

<p>Slide 9</p>	 <p>The image shows two seals side-by-side on a blue background. On the left is the Great Seal of the State of California, featuring a landscape with a miner, a ship, and a bear, with the text 'THE GREAT SEAL OF THE STATE OF CALIFORNIA' and 'EUREKA'. On the right is the Great Seal of the United States of America, featuring an eagle with a shield, holding an olive branch and arrows, with the text 'THE GREAT SEAL OF THE UNITED STATES OF AMERICA'. The word 'State' is written below the California seal, and 'Federal' is written above the US seal.</p>	<p><b>Explain:</b> WIC has protected civil rights categories that are mandated by State and Federal Laws.</p>
<p>Slide 10</p>	 <p>The image shows two WIC pamphlets. The one on the left is titled 'Your Rights and Responsibilities' and lists various categories. The one on the right is titled 'Welcome to WIC' and features a photo of a woman holding a baby, with the text 'What you need to know' and the WIC logo.</p>	<p><b>Explain:</b> These WIC protected Civil Rights categories are listed in the Rights &amp; Responsibilities (R&amp;R) and Welcome to WIC pamphlets.  <b>Say:</b> This is what the pamphlets look like.</p>
<p>Slide 11</p>	<p><b>WHAT ARE THE WIC PROTECTED CLASSES?</b></p> <ul style="list-style-type: none"> <li>• Race</li> <li>• Color</li> <li>• National origin</li> <li>• Sex</li> <li>• Age</li> <li>• Protected genetic information</li> <li>• Income derived from public assistance</li> <li>• Religion</li> <li>• Ancestry</li> <li>• Disability</li> <li>• Political affiliation</li> <li>• Medical condition</li> <li>• Marital status</li> <li>• Sexual orientation</li> <li>• Parental status</li> <li>• Reprisal</li> </ul>	<p><b>Say:</b> Here is a list of the protected categories.  <b>Read:</b> categories out loud.  <b>Say:</b> You may have noticed that some new ones have been added.  <b>Ask trainees:</b> What categories are new to you?  <b>Activity 2: WIC Protected Classes</b>      Instruct trainees to turn to <b>page 4</b> in their workbooks and complete the matching exercise. They may work alone, in pairs, or table groups.  <b>Debrief:</b> Answers to matching exercise.</p> <p><b>Activity 3: WIC Protected Classes review</b>  <b>Ask:</b> trainees to turn to <b>pages 5-6</b> and review the definitions and the examples of each class. They can use this page for a reference. Discuss with a partner what protected class you found interesting.</p>

## Activity 2

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### WIC Protected Classes

**Instructions:** For each **Class** listed below, match the Civil Rights **Definition** in the right hand column. Write the letter of the definition in the **Answer** column.

<u>Answer</u>	<u>Class</u>	<u>Definition</u>
<u>  H  </u>	Marital Status	<b>A.</b> A followed spiritual belief. It does not have to be an organized group or traditional denomination.
<u>  I  </u>	Disability	<b>B.</b> An individual belonging to one of the accepted anthropological groups; or the perception, based usually on physical characteristics.
<u>  F  </u>	Ancestry	<b>C.</b> Includes shade of skin within a racial group.
<u>  C  </u>	Color	<b>D.</b> Gender. (Includes breastfeeding)
<u>  K  </u>	Medical Condition	<b>E.</b> The country or part of the world that an individual or his or her ancestors are from.
<u>  D  </u>	Sex	<b>F.</b> The people who were in a person's family in past times.
<u>  A  </u>	Religion	<b>G.</b> Applies to persons 40 years old and over.
<u>  L  </u>	Sexual Orientation	<b>H.</b> Married or not married.
<u>  J  </u>	Political affiliation or opinion	<b>I.</b> Physical or mental impairment, permanent or temporary.
<u>  G  </u>	Age	<b>J.</b> Known to be a member of a political group or to have certain political views.
<u>  B  </u>	Race	<b>K.</b> Known to have a specific medical condition.
<u>  E  </u>	National Origin	<b>L.</b> The direction of one's affection, sexual or emotional attractions involving others.
<u>  O  </u>	Reprisal	<b>M.</b> This includes a mother, father, step-parent, adoptive parent, foster parent and guardian.
<u>  N  </u>	Protected Genetic information	<b>N.</b> Applies to information about an individual or family member's genetic test, disease or disorders.
<u>  M  </u>	Parental Status	<b>O.</b> The act of being threatened or retaliated against for participating in any aspect of the discrimination complaint process.

## Activity 3

(p. 5-6)

### WIC Protected Classes

Review the following list.

PROTECTED CLASS	DEFINITION	A FEW EXAMPLES
<b>Religion</b>	A followed spiritual belief. It does not have to be an organized group, traditional denomination, or world religion.	Latter-Day Saints, Muslim, Jewish, Catholic, etc.
<b>Race</b>	An individual belonging to one of the accepted anthropological racial groups; or the perception, based usually on physical characteristics, that a person is a member of a racial group.	Australian African American—Black Caucasian—White Mongolian—Asian
<b>Color</b>	Color of skin; including shade of skin within a racial group.	Black, white, light brown, brown, dark brown, etc.
<b>National Origin</b>	The country or part of the world that an individual or his or her ancestors are from. (Most complaints associated with language or accents are covered here.)	Mexican, Cuban, Japanese, Vietnamese, Chinese, etc.
<b>Ancestry</b>	The people who were in a person's family in past times.	Hispanic, Afro-American, Polish-American, Native-American, etc.
<b>Age</b>	Age discrimination Act of 1967 applies to persons 40 years old and over.	An individual 40 and over
<b>Marital Status</b>	Married or not married.	Married, single, divorced, widowed, separated (polygamy/bigamy not included)
<b>Disability</b>	Physical or mental impairment, permanent or temporary.	Blind, alcoholic, paraplegic, amputee, epileptic, arthritic, etc.
<b>Sexual Orientation</b>	The direction of one's affection, sexual or emotional attractions involving others.	Heterosexual (opposite sex); homosexual (same sex); bisexual (both opposite and same sex)
<b>Political Affiliation or Opinion</b>	Known to be a member of a political group or to have certain political views.	1. Democrat, Republican, Socialist etc. 2. Central American policy, anti-or pro-abortion etc.
<b>Medical Condition</b>	Known to have a specified medical condition.	A person with diabetes, HIV, etc.
<b>Sex</b>	Gender, sexual harassment, pregnancy, childbirth, breastfeeding.	Female, male, hermaphrodite. Pregnancy related medical conditions include mastitis, gestational diabetes, post-partum depression, loss or end of pregnancy or recovery from loss or end of pregnancy. Lactation Accommodation: requires employer to provide a reasonable amount of time to allow employee to express breast milk, and a place to pump milk in private that is near the workplace. A toilet stall is not an acceptable place to pump.

Continued on the following page

## Activity 3

### WIC Protected Classes

(Continued)

PROTECTED CLASS	DEFINITION	A FEW EXAMPLES
<b>Reprisal</b>	No one employed or representing USDA shall intimidate, threaten, harass, coerce, or discriminate against anyone who participates in any aspect of the discrimination complaint process.	A person files a complaint and is treated unfairly or retaliated against.
<b>Parental Status</b>	The Anti-discrimination Act 1991 makes it unlawful to discriminate against a person because of their parental status	This includes mother, father, step-parent, adoptive parent, foster parent, and guardians.
<b>Protected Genetic Information</b>	In general it applies protection to information about an individual or family member's genetic test, and the protection from information about the occurrence of disease, medical conditions or disorders in families.	An employer cannot request results from a genetic test or information about one's medical history or family history when it concerns employment.
<b>Income Derived from Public Assistance</b>	In general this applies to anyone who receives all or part of their income derived from any public assistance program. They cannot be discriminated against	This includes welfare, Cash Aid, Cal Works (TANF), Cal Fresh (SNAP)

<p>Slide 12</p>		<p><b>Read</b> aloud the following story or tell a personal story in your own words:  <i>Imagine you are in a bank applying for a loan and you notice the loan officer is staring at you. After collecting your loan information, she excuses herself to discuss your application with her supervisor. You overhear the loan officer mentioning to her supervisor that you don't look like the type of person who would repay a loan. The loan officer returns and informs you that you do not qualify for the loan and your application has been denied.</i></p> <p><b>Debrief:</b> Ask Trainees what they thought of the story?  <b>Ask</b> trainees how that would make them feel?</p> <p><b>Instruct</b> trainees to break up into their table groups. Ask them to share a situation(s) in which they <u>felt</u> they were discriminated against and the impact that it had on them.</p> <p><b>Debrief:</b> Ask for a volunteer(s) to share their story with the larger group.</p> <p><b>Thank</b> them for sharing.</p>
<p>Slide 13</p>	 <p style="text-align: center;"><b>Stereotyping</b></p>	<p><b>Stereotype</b> is <i>"a preconceived or oversimplified generalization involving beliefs about a particular group."</i>  It is what we <u>think</u> about a group of people (e.g. all police officers eat donuts or all women are bad drivers)</p> <p><b>Stereotypes:</b></p> <ul style="list-style-type: none"> <li>• Can be negative or *positive</li> <li>• Do not consider individual characteristics</li> <li>• Based on what we hear, read, or believe</li> <li>• Based on how someone supposedly thinks or behaves</li> </ul> <p>*Example of a positive stereotype: <i>"All breastfeeding mothers are caring and nurturing"</i></p>
<p>Slide 14</p>	<p style="text-align: center;"><b>Prejudice</b></p> 	<p><b>Prejudice</b> is <i>"a rigid unfavorable judgment or opinion <u>formed beforehand</u> without knowledge or examination of the facts."</i></p> <p>Prejudice is often:</p> <ul style="list-style-type: none"> <li>• A pre-judgment</li> <li>• Not factual (ignorance based)</li> <li>• Can be based on race, gender, nationality, social class, disability</li> </ul>

## Discrimination



**Discrimination** is “*the act of treating people differently due to our prejudices.*” This is our behavior toward an individual group

Discrimination involves associating individuals to a group we’ve assigned them to. It usually includes:

- Keeping people out of activities/places
- Treating people with less respect
- Denying people certain things
- Not providing the same opportunities to everyone, e.g. training and career opportunities
- Discrimination is illegal!

### **Activity 4: Discrimination Concepts**

**Instruct** trainees to turn to **Activity 4 page 7** in their workbooks. Have them work in their groups or alone and answer each question.

**Debrief:** Have trainees share their answers with the larger group. Correct answers as needed.

Optional Activity: Trainer will read “Brown Eyes, Blue Eyes” debrief with large group.

**Instruct** trainees to turn to **Activity 5 pages 8-9** in their workbooks. Have them work in their groups and answer questions about their assigned scenarios.

## Activity 4

(p. 7)

### Discrimination Concepts

- **Stereotype:** an oversimplified generalization or belief about a particular group
- **Prejudice:** a rigid unfavorable judgment or opinion formed beforehand, without knowledge or examination of the facts
- **Discrimination:** the act of treating people differently due to prejudices

**Instructions:** Read each statement and determine which concept(s) apply.

1. "I can't stand her. She always wears those nose rings."

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Stereotype | <input type="checkbox"/> Discrimination |
| <input checked="" type="checkbox"/> Prejudice  | <input type="checkbox"/> All of these   |

2. "She's going to have to wait for her food instruments. As big as she is, she obviously doesn't need more food."

- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/> Stereotype | <input type="checkbox"/> Discrimination          |
| <input type="checkbox"/> Prejudice  | <input checked="" type="checkbox"/> All of these |

3. "Most participants come from poor families."

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Stereotype | <input type="checkbox"/> Discrimination |
| <input type="checkbox"/> Prejudice             | <input type="checkbox"/> All of these   |

4. "I think if she wants to be a part of WIC, she should speak English."

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Stereotype | <input type="checkbox"/> Discrimination |
| <input checked="" type="checkbox"/> Prejudice  | <input type="checkbox"/> All of these   |

5. "I am not going to approve her for WIC. She is obviously not eligible since she is wearing a diamond ring."

- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/> Stereotype | <input type="checkbox"/> Discrimination          |
| <input type="checkbox"/> Prejudice  | <input checked="" type="checkbox"/> All of these |

## **Brown Eyes, Blue Eyes**

**Martin Luther King, Jr. was assassinated on April 4, 1968. The next day, Jane Elliott, an elementary-school teacher in Iowa, found herself trying to explain his death to her classroom of third-graders. In the all-white town of Riceville, Iowa, students were familiar with King but could not understand who would want him dead, or why.**

**Elliott said, “I knew it was time to deal with this in a concrete way, because we’d talked about discrimination since the first day of school. But the shooting of Martin Luther King, one of our ‘Heroes of the Month’ two months earlier, couldn’t be explained to little third-graders in Riceville, Iowa.”**

**She came to class the next day with a plan: She aimed to make prejudice tangible to her students. At the start of class, she divided the students into two groups: brown-eyed kids and blue-eyed kids. She then made a shocking announcement: Brown-eyed kids were superior to blue-eyed kids – “They’re the better people in this room.” The groups were separated: Blue-eyed kids were forced to sit at the back of the classroom. Brown-eyed kids were told that they were smarter. They were given extra time at recess. The blue-eyed kids had to wear special collars, so that everyone would know their eye color from a distance. The two groups were not allowed to mix at recess.**

**Elliott was shocked at how quickly the class was transformed. “I watched those kids turn into nasty, vicious, discriminating third-graders...it was ghastly,” she said. “Friendships seemed to dissolve instantly, as brown-eyed kids taunted their blue-eyed former friends. One brown-eyed student asked Elliott how she could be the teacher “if you’ve got blue eyes.”**

**At the start of class the following day, Elliott walked in and announced that she had been wrong. It was actually the brown-eyed children who were inferior. This reversal of fortune was embraced instantly. A shout of glee went up from the blue-eyed kids as they ran to place their collars on their lesser, brown-eyed counterparts.**

**On the day when they were in the inferior group, students described themselves as sad, bad, stupid, and mean. “When we were down,” one boy said, his voice cracking, “it felt like everything bad was happening to us.” When they were on top, the students felt happy, good, and smart.**

**Even their performance on academic tasks changed. One of the reading exercises was a phonics card pack that the kids were supposed to go through as quickly as possible. The first day, when the blue-eyed kids were on the bottom, it took them 5.5 minutes. On the second day, when they were on top, it took 2.5 minutes. “Why couldn’t you go this fast yesterday?” Elliott asked. One blue-eyed girl said, “We had those collars on...” Another student chimed in, “We couldn’t stop thinking about those collars.”**

**Elliott’s simulation made prejudice concrete – brutally concrete. It also had an enduring impact on the students’ lives. Studies conducted ten and twenty years later showed that Elliott’s students were significantly less prejudiced than their peers who had not been through the exercise.**

**Excerpt from Made to Stick by Chip Heath and Dan Heath pp.111-112**

## Activity 5 (p. 8-9) Case Studies

Following are two civil rights discrimination case studies. Each scenario provides a real life situation that may exist in a WIC site. Answer the question below each case study.

### 1. Case Study - Ms. Diaz

Ms. Diaz has an appointment at 9:15 a.m. at the Sunrise site. She arrives at the site 15 minutes prior to her appointment. The site serves a high number of the Asian population in the area. Ms. Diaz, who is not of Asian descent, attends this site because it is close to her place of work. That morning, Ms. Diaz realizes that she is the only non-Asian participant in the site.

It is now 9:45 a.m. and Ms. Diaz is still waiting for the nutritionist. She sees participants who came in to the office after her receiving their food instruments. She lets the receptionist know that she is still waiting and was told that it would probably be only an additional 5 minutes. However, 10 minutes pass and Ms. Diaz is still waiting to be seen. She tells the receptionist that she needs to be at work in 45 minutes. Ms. Diaz asks to speak with the supervisor. Ms. Diaz lets the supervisor know that she's seen other participants come and go within 15 minutes of coming into the office. She tells the supervisor that she feels that the staff sees other participants first because they are Asian, and she is not. The supervisor tells her that if she wants to file a complaint, she can call the State WIC Program. The supervisor gives Ms. Diaz the State WIC Program's telephone number and explains to Ms. Diaz about her right to file a complaint.

Ms. Diaz eventually sees the nutritionist who provides her with an excellent nutrition education session and issues her the food instruments. Ms. Diaz leaves the Sunrise site frustrated and unhappy due to the delay in waiting time and she calls the State WIC Program to complain.

**Which protected class would this discrimination complaint fall under?**

- Political Affiliation
- Reprisal
- National Origin

Optional question for added discussion: **What could staff have done differently?**

Staff could have explained the wait time.

Supervisor could have apologized and tried to be more empathetic.

## Activity 5

### Case Studies

(Continued)

#### 2. Case Study – Ms. Johnson

Ms. Johnson has discovered that she is four months pregnant and wants to sign up to receive WIC services. She was previously on the WIC program with her other children who are now teenagers. She calls the North area WIC office and schedules an appointment.

On the day of her appointment, Ms. Johnson arrives at the clinic site 15 minutes late for her appointment with all the required paperwork. When she walks up to the receptionist desk, the receptionist notices that Ms. Johnson is legally blind and unable to read the forms. The receptionist becomes nervous and does not know how to help Ms. Johnson, so she speaks loudly to inform her that they will need to reschedule her appointment. When Ms. Johnson asks why the appointment needs to be rescheduled, the receptionist loudly states that, “It is because we are not equipped to assist people with your condition”. The receptionist informs her that there may be someone to assist her “kind of people” at her next appointment.

**Which protected class would this discrimination complaint fall under?**

- Race
- Disability
- Religion

Optional question for added discussion: **What could staff have done differently?**

Serve the participant because she has all the required paperwork.

Do not yell at the participant, use a normal voice.

Always sincerely apologize for situations.

The receptionist could have asked a more experienced co-worker or supervisor for assistance when she didn't know what to do.

<p>Slide 16</p>	<p style="text-align: center;"><b>AMERICANS WITH DISABILITIES ACT (ADA)</b></p> 	<p><b>ADA</b> <b>Activity 6: ADA and LEP</b></p> <p><b>Instruct</b> trainees to refer to <b>Activity 6</b> on <b>page 10</b> (ADA and LEP) in their workbooks.</p> <p><b>Ask</b> for a volunteer to read the top half under ADA.</p> <p><b>Instruct</b> the group to call out ways their agency provides reasonable accommodation for participants with disabilities.</p> <p><b>Probe</b> for:</p> <ul style="list-style-type: none"> <li>• Parking lots</li> <li>• Entrances/exits and halls</li> <li>• Elevators and restrooms</li> <li>• Sign language interpreters</li> <li>• Braille</li> <li>• Service animals</li> </ul>
<p>Slide 17</p>	<p style="text-align: center;"><b>Limited English Proficiency (LEP)</b></p> 	<p><b>LEP</b></p> <ol style="list-style-type: none"> <li><b>1. Ask</b> for a volunteer to read the bottom half of the page under LEP.</li> <li><b>2. Instruct</b> the group to call out ways their agency provides reasonable accommodation for participants with LEP.</li> </ol> <p><b>Probe</b> for:</p> <ul style="list-style-type: none"> <li>• Interpreters</li> <li>• Written materials in different languages</li> </ul> <p><b>Mention:</b></p> <ul style="list-style-type: none"> <li>• Service provisions for LEP participants may depend on the number and frequency of LEP participants served.</li> <li>• Volunteers or children may be used if they are competent enough to understand and interpret English.</li> <li>• A shortage of resources does not eliminate the LEP requirement.</li> </ul> <p><b>Debrief: Ask</b> trainees to call out ways an agency might discriminate against a WIC applicant/participant with a disability or limited English proficiency <b>or</b> share some of the following ideas and ask if they are discriminatory (trainer can add some additional scenarios that are not discriminatory).</p> <p><b>Probe</b> for:</p> <ul style="list-style-type: none"> <li>• Segregation (separation)</li> <li>• Different waiting times</li> <li>• Facilities or services not accessible to people with disabilities</li> </ul>

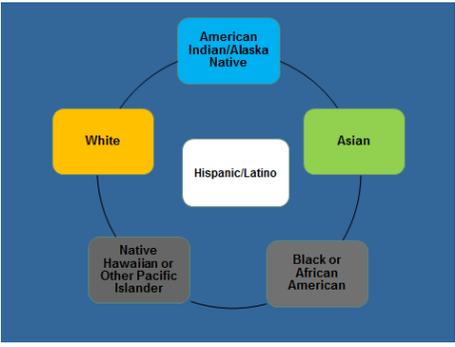
		<ul style="list-style-type: none"><li>• Failing to advise a LEP participant that an interpreter will be provided free of charge</li><li>• Requiring people with LEP to bring their own interpreter</li><li>• Treating people with disabilities differently from other participants</li><li>• Operating a WIC site in an area that is not accessible to people in certain groups (no public transportation)</li><li>• Providing different WIC benefits to individuals based on their membership in a protected class</li><li>• Requesting additional verification or documentation from people based on membership in a protected class</li></ul>
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## Activity 6

(p. 10)

# Americans with Disabilities Act and Limited English Proficiency

Americans with Disabilities Act (ADA)	
<b>What is it?</b>	The Americans with Disabilities Act (ADA) is the most comprehensive federal legislation that prohibits discrimination against people with disabilities.
<b>Who is protected by ADA?</b>	ADA protects individuals with disabilities. A disability is a physical or mental impairment that substantially limits an individual's major life activities.
<b>ADA mandates reasonable accommodation</b>	Reasonable accommodation is a modification or adjustment to enable individuals with disabilities to have equal access to benefits and privileges of a service or program such as: <ul style="list-style-type: none"><li>• Changing existing facilities to make them accessible or usable.</li><li>• Acquiring or modifying equipment.</li><li>• Modifying tests, training materials, or policies to accommodate program participants with disabilities.</li></ul>
Limited English Proficiency (LEP)	
<b>What is it?</b>	State and local agencies must take reasonable steps to ensure "meaningful" access to program information and services by people with Limited English Proficiency (LEP). These services may include: <ul style="list-style-type: none"><li>• Providing interpreters.</li><li>• Providing printed materials in different languages.</li></ul>
<b>Who is protected by LEP?</b>	Individuals for whom English is not their primary language and who have a limited ability to read, speak, write, or understand English.
<b>Local agencies must have a LEP plan</b>	Your agency's LEP plan should include: <ul style="list-style-type: none"><li>• Ways to identify individuals needing language assistance.</li><li>• Staff training on ways to assist individuals needing language assistance.</li><li>• Ways to notify LEP individuals about available support services.</li></ul>

<p>Slide 18</p>		<p><b>Ask:</b> Why does WIC collect Ethnicity and Race data?</p> <p><b>Debrief:</b> All USDA funded programs are required to collect this data. Data is used to:</p> <ul style="list-style-type: none"> <li>• Determine how well WIC is reaching potential eligible persons</li> <li>• Identify areas where additional outreach is needed</li> </ul>
<p>Slide 19</p>		<p><b>Data Collection</b></p> <p><b>Explain:</b> USDA requires WIC to tell every participant:</p> <ul style="list-style-type: none"> <li>• The collection of the information is strictly for statistical reporting requirements, and</li> <li>• Has no effect on the determination of their eligibility for WIC benefits.</li> </ul> <p>If a participant asks how the data is used, you may explain: The information is used by USDA to determine how effectively WIC is reaching minority groups, and to identify where additional outreach is needed.</p> <p><b>Explain:</b> While explaining this information to each participant, WIC staff must assess the applicant’s understanding of the verbal explanation of ethnicity and race.</p> <p><b>Explain:</b> <u>Ethnicity and race</u> questions must be asked at <u>initial</u> certification.</p> <p>The <u>Rights and Responsibilities</u> information must be reviewed with every participant at <u>all</u> certifications.</p> <p><b>Encourage</b> participants to self-report their ethnicity and race, and stress the importance of the information. If the participant refuses, WIC staff must select and enter an ethnicity and race for them in WIC MIS.</p> <p><b>Explain:</b> While many staff may feel uncomfortable asking the questions, it is a USDA requirement (similar to asking the drug and alcohol questions).</p> <p><b>Refer</b> trainees to <b>Appendix III</b> <i>Ethnicity and Race</i> (p. 18) and <b>Appendix IV</b> the <i>Ethnicity and Race Data Collection Flowchart</i> (p. 19). Review both.</p> <p><b>Ask</b> What questions do you have?</p>

		<p><b><u>Activity 7 Data Collection</u></b></p> <p><b>Instruct</b> trainees to turn to <b>Activity 7</b> on <b>page 11</b> in their workbooks and answer the questions individually.</p> <p><b>Debrief:</b> Review answers as a group. Ask a few people to share ways they have effectively asked the ethnicity and race questions (question 6 on the activity).</p> <p><b>Probe</b> for other comments and ideas as time permits.</p>
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## Activity 7

(p. 11)

### Ethnicity and Race Data Collection

**Instructions:** Answer each question below independently.

1. What are the two civil rights questions that WIC staff must ask all participants?
  - Height and Weight
  - Ethnicity and Race**
  
2. When is WIC staff required to collect ethnicity and race data?
  - Whenever time is available
  - At initial certification or enrollment**
  
3. What are the two items that WIC staff must explain to participants when collecting ethnicity and race data?
  - The collection of the information is necessary to receive their food instruments, and could have an effect on receiving WIC benefits.
  - The collection of the information is strictly for statistical reporting and has no effect on the determination of their eligibility for WIC benefits.**
  
4. What information should WIC staff review with a participant at all certifications?
  - Race and Ethnicity
  - Rights and Responsibilities**
  
5. What should WIC staff do if a participant refuses to state her ethnicity or race?
  - Ask them why they won't answer.
  - Select and enter an ethnicity and race for them and enter it into WIC MIS.**

**Optional Discussion Question:** What are some ways that you have effectively asked the ethnicity and race questions?

<p>Slide 20</p>	<p><b>CUSTOMER SERVICE</b></p> <p>“Treat others the way you would want to be treated!”</p> 	<p><b>Customer Service</b></p> <p><b>Activity 8: Customer Service</b></p> <p><b>Ask</b> trainees to turn to <b>Activity 8</b> on <b>page 12</b> in their workbooks. Have a volunteer read the scenario as trainees follow along.</p> <p><b>Instruct</b> trainees to read the instructions for Activity 8</p> <p><b>Debrief:</b> Ask trainees to select one spokesperson from each table group and share their answers with the larger group.</p> <p><b>Ask</b> trainees to provide one example of how someone helped resolve a similar situation at WIC and prevented a discrimination complaint.</p> <p><b>Explain</b> that often we can prevent conflict from occurring by providing excellent customer service to our participants during individual consultations, group education, front desk contact, phone calls, and language on signage and outreach materials.</p>
<p>Slide 21</p>	<p><b>Great Service Minimizes Conflict</b></p> <p><i>“I do not like this person. I must get to know him better.”</i></p>  <p>Abraham Lincoln</p>	<p><b>Ask:</b> trainees what this quote means to them.</p> <p><b>Probe:</b> for situations where the initial contact with a person may have been an unfavorable experience.</p>

## Activity 8

(p. 12)

### Customer Service

**Scenario:** It is 4:30 pm and the waiting room is packed. The front door slams open and in flies a woman toting two toddlers, voice raised as she is waving her hands in the air. There is a room full of participants patiently waiting to be assisted when the woman walks to the front desk, points her finger in your face, and yells, “Get me your supervisor now! I have a complaint.”

**Instructions:** Answer the following questions in your table groups. **(Possible answers)**

1. How do you handle this situation?

Let the participant know that you are here to help  
Have a co-worker get the supervisor, while you try to find out what’s wrong  
Stay calm

2. What can you say to her that might make her feel valued?

Apologize for the situation that upset her  
Let her know that you are going to help

3. What actions might you use to calm the situation (tone of voice, body language, eye contact)?

Use a calm pleasant voice  
Keep your body language open and relaxed  
Make eye contact with the participant  
Let the participant speak without interruptions

4. Describe how she might be feeling.

She might be feeling angry because of the way she was treated at a store  
She might have been embarrassed at the store

5. What words can you use to convey you understand, have compassion for, empathize with, and respect the participant?

Let her know that you will make sure she has a better experience with you  
Let her know that WIC values her commitment to making sure her children are healthy

Slide  
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### **Conflict Resolution**

**Explain:** Many things can cause frustration or confusion with WIC participants that lead to complaints. These complaints can often be prevented.

#### **Ask trainees:**

Do all participants understand how WIC works?

Are all participants comfortable with asking questions?

Do all participants retain the information provided to them?

- **Review Handout:** *“In Times of Conflict”* **page 13**
- **Ask:** trainees what methods they have found difficult to do?
- **Emphasize** the need to:
- Be safe
- Call 911 if needed (better safe than sorry)
- Trust your instincts

## In Times of Conflict

We can often prevent conflict from occurring by providing excellent customer service to our participants.

- Be patient and polite
- Listen with presence and compassion
- Avoid sarcasm
- Be empathetic
- Do not be afraid to ask for help to resolve a situation
- Smile whenever possible
- Apologize where appropriate
- To avoid offending anyone, be open to valuing the other person's opinion
- Don't feel you need to have the last word
- Treat everyone the same no matter who they are, how they look, or how they act
- Impose policies that impact all people the same
- Treat everyone with dignity and respect

slide  
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**COMPLAINTS**  
What are the Local Agency responsibilities?

A photograph showing a person from behind, sitting at a desk and looking at several papers. The person is wearing a dark shirt. The desk is cluttered with papers and a pen.

### **Complaints**

**Refer** trainees back to the visualization of the person in the bank applying for a loan that felt discriminated against.

**Ask trainees** to consider what their WIC agency should do if a participant or applicant felt they were being discriminated against?

### **Activity 9: Discrimination Complaint Process**

**Instruct** Trainees to turn to **Activity 9** beginning on **page 14** in their workbooks. Briefly review the *Discrimination Complaint Process* on **page 14**. Ask for a volunteer(s) to read the *Complaint Procedures Overview* on **page 15** and discuss as a group.

**Ensure** trainees know they must protect the individual's confidentiality. Details of the complaint should only be shared among:

- WIC supervisors
- The person filing the complaint
- State WIC Civil Rights Coordinator
- Staff involved in the incident

**Ask** what questions they have about the discrimination complaint process.

## Activity 9

(p. 14)

### Discrimination Complaint Process

If a participant claims to have been discriminated against, these steps must be followed:

#### STEP 1

- Apologize to the participant and inform a supervisor immediately.
- *Note: the participant has up to 180 days after the incident to report the complaint.*

#### STEP 2

If the supervisor cannot resolve the situation:

- Share the rights and responsibilities information on the Welcome to WIC pamphlet.
- Assist the participant with filing a complaint.
- *Note: WIC Program Policy Manual 510-40 provides details on filing a complaint.*

#### STEP 3

Send the complaint to the addresses listed below. If the participant files the complaint herself, provide the addresses for where to send the complaint.

- *Note: the agency must respond to the complaint within 5 days.*

#### Send the form to:

United States Department of Agriculture  
Director, Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington D.C., 20250-9410  
Fax: (202) 690-7442 or Email: [programintake@usda.gov](mailto:programintake@usda.gov).

#### AND

#### Send a copy to:

California Department of Public Health  
Women, Infants, and Children (WIC) Program  
Attention: Civil Rights Coordinator  
P.O. Box 997375, MS 8600  
Sacramento, CA 95899-7375

**Note:** Details of the complaint are confidential and should only be shared among WIC supervisors, staff involved in the incident, the person filing the complaint, and the State WIC Civil Rights Coordinator.

# Complaint Procedures Overview

(p. 15)

Local agency (LA) staff must advise the participant that their identity is kept confidential, except for the purpose of investigating the complaint, or conducting hearings or judicial proceedings.

The LA shall ensure the following information is provided in the written complaint:

## 1. Participant Information

- a. Name
- b. Address
- c. Telephone number
- d. Or other means of contacting the individual

## 2. Local Agency Information

- a. LA name
- b. Location where the participant receives WIC services

## 3. Complaint Description

- a. The nature of the incident/action that led to the participant feeling discriminated against

## 4. Persons Involved or Who May have Knowledge of the Incident/Action

- a. Names
- b. Titles
- c. Business addresses

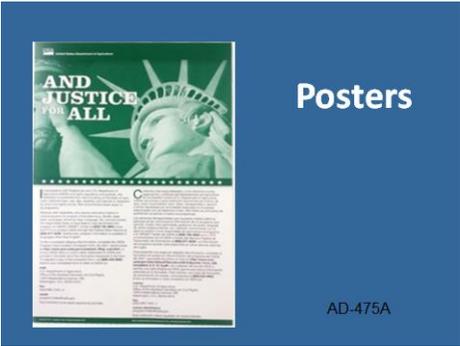
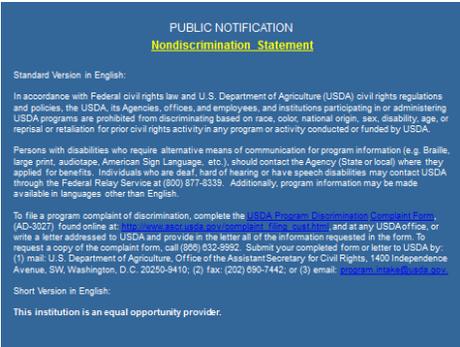
## 5. Date(s)

- a. Date the incident/action occurred
- b. If continuing, the duration of incidents/actions

The LA **shall not** interfere with any rights or privileges of a participant because she/he made a complaint or allegation, testified, assisted, or participated in the investigation, proceeding, or hearing relating to the incident/action.

As a result of a complaint, the LA must ensure that no person is:

- Intimidated
- Threatened
- Coerced, or
- Discriminated against

<p>Slide 24</p>		<p><b>Public Notification</b></p> <p><b>Explain:</b> Federal law requires WIC programs to inform potential WIC applicants or participants about:</p> <ul style="list-style-type: none"> <li>• Program availability</li> <li>• Rights and responsibilities</li> <li>• Nondiscrimination policy</li> <li>• Complaint procedures</li> </ul> <p><b>Ask</b> trainees to call out ways in which their agency notifies the public of their civil rights.</p> <p><b>Probe</b> for:</p> <ul style="list-style-type: none"> <li>• Outreach</li> <li>• “And Justice for All” poster</li> <li>• Nondiscrimination statement on materials</li> </ul>
<p>Slide 25</p>		<p><b>Ask</b> trainees to call out where the “And Justice for All” posters should be posted in their WIC sites.</p> <p><b>Debrief:</b> USDA requires that posters are placed where easily visible. Agencies should check their “And Justice for All” posters to ensure they are posting the correct version (AD-475A). (See <b>Appendix I</b> on <b>page 16 California WIC Policies Related to Civil Rights</b>)</p> <p><b>Say:</b> Agencies must post “And Justice for All” poster where easily visible and use version AD-475A.</p> <p><b>Refer</b> trainees to <b>Appendix II</b> on <b>page 17</b> in their workbooks for instructions on downloading the “And Justice for All” posters.</p>
<p>Slide 26</p>		<p><b>Explain:</b> There are two kinds of nondiscrimination statements: the “full” and “short” version. The WIC Program Policy Manual 510-20 provides details on use of each.</p> <p><b>Explain:</b> The nondiscrimination statement is not required for nutrition education and breastfeeding promotion and support materials that strictly provide a nutrition message and simply carry the WIC logo with no other mention of the WIC program.</p>

<p>Slide 27</p>		<p><b><u>Monitoring Visits</u></b>  <b>Explain:</b> When State WIC conducts a program monitoring visit, they check to ensure:</p> <ul style="list-style-type: none"> <li>• WIC clinics are complying with civil rights laws and regulations.</li> <li>• All staff members attend annual civil rights training.</li> </ul> <p><b><u>Resolution of Non-Compliance</u></b>  <b>Explain:</b> If State WIC finds that a local agency has not complied with WIC civil rights laws and regulations:</p> <ul style="list-style-type: none"> <li>• The agency must develop a corrective action plan to resolve the errors.</li> <li>• State WIC will follow-up to ensure the errors have been corrected.</li> </ul> <p><b>Ask</b> trainees what questions they have about public notification, compliance review, and resolution of non-compliance.</p>
<p>Slide 28</p>		<p><b>Read</b> aloud: The Museum of Tolerance in Los Angeles welcomes its visitors in a unique and compelling way. Visitors must wait in the lobby until invited into the museum by a tour guide. The guide points out there are only two doors to enter the museum. One door is marked “prejudiced” and the other door is marked “unprejudiced”. Visitors are instructed to enter the door that most represents them. Almost always, the door marked “unprejudiced” is selected. The brave visitor who is first to try the door is unable to turn the knob. Much to everyone’s surprise, the “unprejudiced” door is locked. The only way to enter the museum is through the door marked “prejudiced.”</p> <p><b>Debrief:</b> This is a powerful lesson. We are all prejudiced in some way for some reason. We must acknowledge this to ourselves.</p> <p>The real question is not...      "Are we prejudice?"</p> <p>The real question is...      "Are we <u>acting</u> on our prejudices?"      It is in the <u>action</u> that discrimination exists.</p> <p><b>Refer</b> trainees to the <b>Appendix I on page 16</b> in the back of their workbooks for training references.</p> <p><b>Thank</b> trainees for their participation.</p> <p><b>Instruct</b> trainees to tear off and complete the evaluation at the back of their workbooks.</p>

# Appendix I

(p. 16-19)

## California WIC Policies Related to Civil Rights

This training includes the most current information on civil rights. For additional clarification or questions related to civil rights, local agencies should contact the Training Services Unit at [WICCivilRights@cdph.ca.gov](mailto:WICCivilRights@cdph.ca.gov).

- [190-00 Staff Training](#)
- [190-20 Civil Rights Training](#)
- [510-10 Nondiscrimination / Examples](#)
- [510-20 Use of the Nondiscrimination Statement](#)
- [510-30 Program Accessibility](#)
- [510-40 Complaints of Discrimination](#)
- [510-50 Racial / Ethnic Categories](#)
- [520-10 Fair Hearing Requests and Procedures](#)



## **Appendix III**

### **Ethnicity and Race**

**When asking the ethnicity and race questions, WIC staff must explain:**

1. The collection of the information is strictly for statistical reporting requirements
  
2. Has no effect on the determination of their eligibility for WIC benefits.

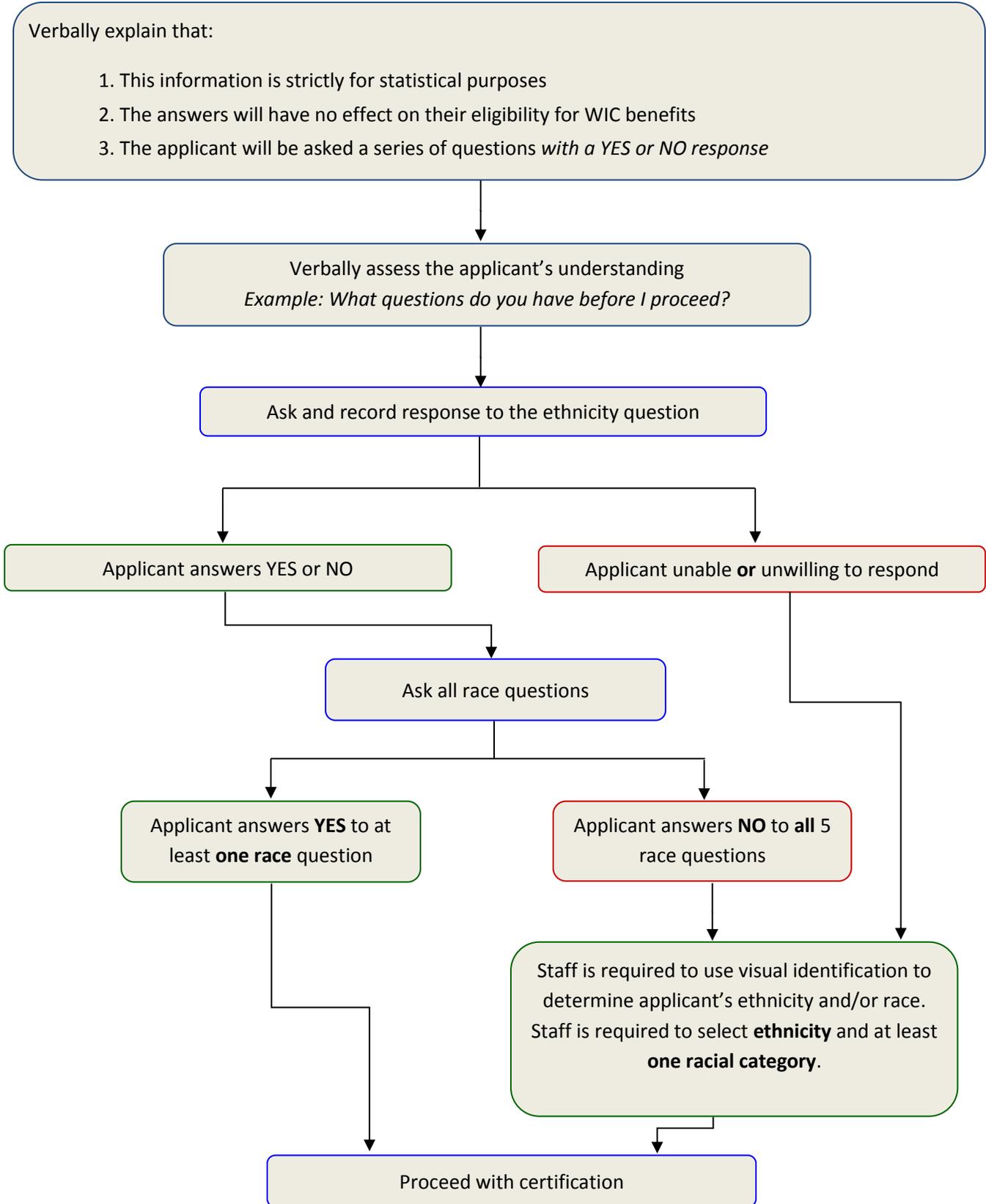
**If a participant asks how the data is used, you may explain:**

3. The information is used by USDA to determine how effectively WIC is reaching minority groups and to identify where additional outreach is needed.

# Appendix IV

## Ethnicity and Race Data Collection Flowchart

Reference: WIC Program Policy Manual (WPM) Section 510-50



California Department of Public Health  
Women, Infants, and Children Program

# *Certificate of Completion*

Civil Rights Training

*“Equality for All”*

**Presented to**

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Name

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Date

This certifies that the above named  
acknowledges completion of the Civil Rights  
Training and has agreed to comply with the  
information given on discrimination, federal  
and state civil rights requirements and  
complaint procedures.



## California WIC Program Civil Rights Training Evaluation

**Date:** \_\_\_\_\_ **Agency:** \_\_\_\_\_

The Training Services Unit strives to improve the quality of our trainings. Your responses to the following statements and questions will help us evaluate our program and best meet your needs in the future. Please take a few moments to give us feedback by completing the following evaluation.

**Instructions:** Check the box that best describes your rating for each statement.

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Does Not Apply
1. All mandated objectives were covered in the training.	<input type="checkbox"/>					
2. The information was relevant and current.	<input type="checkbox"/>					
3. The activities were effective.	<input type="checkbox"/>					
4. The trainer was knowledgeable about the subject.	<input type="checkbox"/>					
5. The trainer encouraged interaction.	<input type="checkbox"/>					
6. The training was a positive learning experience.	<input type="checkbox"/>					

1. What did you like about the training?

2. Please list one idea that you will use in your job as a result of this training.

3. What suggestions do you have to improve this training?

**Thank you for your feedback**